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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Situation of human rights in Haiti

Report by the Secretary-General

I. INTRODUCTION

1. At its fifty-first session, the General Assembly, in its resolution 51/110, welcomed the improvements in the situation of human rights in Haiti and took note of the report of the independent expert of the Commission on Human Rights, Mr. Adama Dieng, appointed to assist the Government of Haiti in the area of human rights and to consider the development of the human rights situation in that country (E/CN.4/1996/94). The Assembly welcomed the fact that the Centre for Human Rights of the Secretariat had prepared a technical cooperation programme aimed at strengthening Haiti's institutional capacity in the field of human rights and requested the Secretary-General to submit his report on the implementation of that programme to it at its fifty-second session.

2. At its fifty-third session, the Commission on Human Rights, taking account of the report of the independent expert (E/CN.4/1997/89), adopted resolution 1997/52, endorsed by Economic and Social Council decision 1997/262, in which it requested the Haitian Government to adopt a civics education programme to promote the creation of confidence between the population and the National Police. The Commission also supported the reform of the judicial system and emphasized its priority in the framework of the bilateral or multilateral assistance provided by the international community, including the United Nations Development Programme (UNDP). The Commission also welcomed the establishment of a programme of technical cooperation by the Centre for Human Rights, aimed at strengthening institutional capacity in respect of human rights, requested the Secretary-General to submit a report on the implementation of the programme to the Commission at its fifty-fourth session and invited the independent expert to inform the General Assembly at its fifty-second session and the Commission at

its fifty-fourth session about the development of the human rights situation in Haiti.

3. The present report contains information on the implementation of the human rights technical cooperation programme, in accordance with the above-mentioned resolutions. It supplements the report submitted by the independent expert on the development of the human rights situation in Haiti (A/52/499).

II. MANDATE AND ACTIVITIES

4. A programme of technical cooperation to strengthen the capacities of the political and parapolitical structures in the field of human rights has been prepared by the Centre for Human Rights in close cooperation with the Government and other parties, including the International Civilian Mission in Haiti (MICIVIH) and UNDP.

5. The aims of the programme are to provide training to the personnel of the major State institutions in the area of human rights and to increase general public awareness of human rights through civic education programmes, in accordance with the wishes of the Government. It also aims at providing the national authorities with assistance in reforming Haitian criminal law by incorporating the provisions of international human rights instruments.

6. Specifically, the programme includes two human rights training seminars for human rights associations and local representatives, to be held at the Magistrate's College. Local representatives will be community leaders selected on the basis of criteria agreed to by the Ministry of Justice, Parliament and the Centre for Human Rights. The local representatives designated by members of Parliament will form the initial nucleus of human rights training officers who will work at grass-roots level within the electoral districts. These activities on the part of regional representatives will in turn help in launching the Government's projected civic education campaign, to enable the general public to play an informed role in the country's political affairs. The importance of oral tradition and the high level of illiteracy mean that the methodology adopted must be tailored to local conditions.

7. As regards the reform of criminal legislation, the aim of the programme is specifically to bring the provisions of the new Haitian criminal law into line with those of international human rights instruments.

8. The timing of the programme's implementation will also help to consolidate cooperation between other agencies or groups within the United Nations system, such as UNDP's governance assistance, as well as the many activities of MICIVIH. The training provided to local representatives will attest to the complementarity between the activities of UNDP and those of the United Nations High Commissioner for Human Rights.

9. It should be noted that a first component of the programme was implemented at the end of 1995, when the Centre for Human Rights assumed the cost of one of the three members of the National Commission of Truth and Justice set up by the President of the Republic of Haiti in March 1995. The Commission's mandate was

to establish the facts regarding the serious violations of human rights committed between 29 September 1991 and 15 October 1994.

10. The revised draft document was signed by the High Commissioner and the Haitian Government in June 1997. The programme described in paragraphs 5-7 above is now at the implementation stage.

11. In the meantime, the Centre for Human Rights has begun preparing the training courses provided for in the overall programme, and has provided advisory services on specific matters. It has participated in the UNDP training programmes, in the work of the World Bank Consultative Group for Haiti and in the Preparatory Commission on Law and Justice set up by the Haitian Government to improve the functioning of the justice system. It participated in the MICIVIH international symposium on preliminary comments on the Constitution. In addition, contacts have been established with non-governmental organizations, and a study has been made of their activities. Associations which might be invited to attend the planned training course have also been identified.

III. CONCLUSIONS

12. A number of United Nations bodies are involved in technical cooperation projects for the promotion of human rights in Haiti. One of these is MICIVIH, whose activities include training in, and monitoring observance of, human rights, and the United Nations Support Mission in Haiti (UNSMIH), which is responsible for training the Haitian National Police. UNDP, which is working closely with the Secretary-General's Special Representative and his mission, is concerned with the strengthening of national capacities, particularly in the prison and judicial areas, and is promoting coordinated efforts on the part of the United Nations system as a whole. The High Commissioner, previously the Centre for Human Rights, has supported the National Commission of Truth and Justice, and, in cooperation with UNDP and MICIVIH, is providing training in human rights at grass-roots level (civic education and training of civil society) and assistance with the revision of criminal legislation.

13. In this regard, the High Commissioner's programme complements the activities of the various United Nations agencies and programmes in Haiti and forms part of the overall United Nations action in support of Government efforts aimed at restoration of the rule of law, reconstruction and development.